

III. REMARKS

Claims 1-3, 5-11 and 13-17 are rejected under 35 U.S.C. 102(b) as being anticipated by Gleeson.

The Examiner argues that Gleeson teaches, on col. 6 lines 47-56, the transmitting comprising producing messages from the information to be transmitted. However, it is respectfully submitted that what is really disclosed in the referred part of Gleeson is that:

"The first layer is the application layer 200 which, as previously mentioned, handles protocols and interface information that directly communicate with a client application program running at the station." (col. 6, lines 52-56, emphasis added).

Further, on col. 6, lines 57-60, of Gleeson it is mentioned that:

"Application layer 200, in turn, interfaces with standard protocol layers 204 where the protocols used in these layers are generally determined by the LAN and are standard for each type of network."

Therefore, there is no indication that messages are formed at the application layer from the information to be transmitted. Rather, the parts of the disclosure referred above give the impression that the information as such is provided from the application layer to the lower layer(s).

Independent claims 1, 9 and 17 have been amended to recite "...said message being different from said information being transmitted". As explained above, this feature is totally

missing from Gleeson. Thus the rejection of claims 1-3, 5-11 and 13-17 under 35 USC 102 should be withdrawn.

Further, since there is no suggestion of this feature in Gleeson, these claims are unobvious over it.

Claims 4 and 12 are rejected under 35 USC 103(a) as being unpatentable over Gleeson in view of Bhagwat.

Similarly, Bhagwat fails to disclose the above feature. Thus combining it with Gleeson does not result in the present invention.

Thus the rejection of claims 4 and 12 should be withdrawn.

For all of the foregoing reasons, it is respectfully submitted that all of the claims now present in the application are clearly novel and patentable over the prior art of record, and are in proper form for allowance. Accordingly, favorable reconsideration and allowance is respectfully requested. Should any unresolved issues remain, the Examiner is invited to call Applicants' attorney at the telephone number indicated below.

The Commissioner is hereby authorized to charge payment for any fees associated with this communication or credit any over payment to Deposit Account No. 16-1350.

Respectfully submitted,

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